

complete fact discovery related to claim construction no later than July 5, 2023. The parties shall file Opening *Markman* submissions, including any expert declarations no later than July 20, 2023. The parties shall complete expert discovery regarding *Markman* issues no later than August 21, 2023. The parties shall file Responsive *Markman* submissions no later than September 18, 2023. The parties shall confer and propose to the Court a schedule for a Claim Construction Hearing, if necessary, no later than October 2, 2023.

4. **Motions to Add New Parties.** Any motion to add new parties, whether by amended or third-party complaint, must be electronically filed no later than October 2, 2023.
5. **Motions to Amend Pleadings.** Any motion to amend pleadings must be electronically filed no later than October 2, 2023.
6. **Interrogatories.** The parties may serve interrogatories limited to 25 single questions including subparts, on or before 30 days prior to the close of fact discovery, which shall be responded to within 30 days of service thereof.
7. **Document Requests.** The parties may serve requests for production of documents on or before 30 days prior to the close of fact discovery, which shall be responded to within 30 days of service thereof.
8. **Depositions.** The number of depositions to be taken by each side shall not exceed 10.
9. **Electronic Discovery.** The parties are directed to Rule 26(f), as amended, which, *inter alia*, addresses preservation of discoverable information, discovery of electronically stored information, and claims of privilege or work product protection. The parties are also directed to Local Civil Rule 26.1(d) which describes the obligations of counsel with regard to their clients' information management systems.
10. **Discovery Disputes.** Please refer to the Court's Civil Case Management Order.
11. **Motion Practice.** Please refer to the Court's Civil Case Management Order.
12. **Fact Discovery Deadline.** Fact discovery is to remain open through the later of a Markman decision or June 1, 2024. All fact witness depositions must be completed by the close of fact discovery. No discovery is to be issued or engaged in beyond that date, except upon application and for good cause shown.
13. **Expert Reports.** All affirmative expert reports shall be delivered by 60 days after the close of fact discovery. All responsive expert reports shall be delivered by 60 days after opening expert report. All reply expert reports shall be delivered by 30 days after responsive expert reports. Depositions of all experts to be completed by 60 days after reply expert reports.
14. **Form and Content of Expert Reports.** All expert reports must comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.

15. **Extensions and Adjournments.** Please refer to the Court's Civil Case Management Order.
16. **Protective Orders.** Any proposed confidentiality order agreed to by the parties must strictly comply with Rule 26(c), Local Civil Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.
17. **Local Rules.** The parties are directed to the Local Civil Rules for any other matter not addressed by this Order or the Court's Civil Case Management Order
18. **FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER OR ANY OTHER ORDERS WILL RESULT IN SANCTIONS.**

s/Cathy L. Waldor

CATHY L. WALDOR
United States Magistrate Judge